## UNITED STATES DISTRICT COURT CENTRAL DISTRICT OF CALIFORNIA

NAIM ISMAIL,

Petitioner,

V.

B. BIKHOLZ, Warden,

Respondent.

Petitioner,

V.

Petitioner,

Respondent.

Petitioner,

V.

ORDER DISMISSING ACTION
WITHOUT PREJUDICE

Pursuant to 28 U.S.C. § 636, the Court has reviewed the Petition, records on file, and the Report and Recommendation of the United States Magistrate Judge. Further, the Court has engaged in a de novo review of those portions of the Report to which respondent has objected. Petitioner has not filed any written Objections to the Report within the time permitted.

Respondent objects that this action is moot because Petitioner was released from custody. (ECF No. 13 at 3). Because the Court can no longer grant the only relief that Petitioner requested, which was application of sentencing credits and immediate release from custody (ECF No. 1 at 2; ECF No. 10 at 5), this case is moot. *See Lane v. Williams*, 455 U.S. 624, 631 (1982) ("Since [the prisoners] elected only to attack their sentences, and since those sentences expired during the course of these proceedings, this case is moot."); *Aaron v. Pepperas*, 790 F.2d 1360, 1362 (9th Cir. 1986) (same, where the prisoner "merely contests the imposition and duration of his sentence").

IT IS THEREFORE ORDERED that (1) this action is dismissed without prejudice as most and (2) Judgment will be entered accordingly.

Dated: February 28, 2025

HONORABLE SHERILYN PEACE GARNETT UNITED STATES DISTRICT JUDGE